

### REMARKS

Claims 3 and 5 stand indicated allowable if rewritten in independent form including all the limitation of the base claim and any intervening claims. Claims 1, 2, 4, 6, 12-14, 16, 17 and 20 stand rejected under 35 USC §102(b) as being anticipated by Snelling et al., SAE technical paper entitled "Particulate Matter Measurements in a Diesel Engine Exhaust by Laser-Induced Incandescence and the Standard Gravimetric Procedure". Claims 7-11, 15, 18, and 19 stand rejected under 35 USC §103(a) as being unpatentable over the Snelling et al. publication in view of Snelling et al., U.S. patent 6,154,277.

Claims 2-7, 11-14, and 16-17 have been amended to more clearly state the invention. Claim 1 has been cancelled. Claims 3 and 5 have been rewritten in independent form including all the limitation of the base claim and respective intervening claim. Dependent claims 2, 6-7, 11-14, and 16 have been amended to depend from respective patentable claims 3 and 5. Independent claim 17 has been amended to include subject matter of patentable claim 3 and is likewise patentable. Each of dependent claims 18-20 depend from patentable claim 17 further defining the invention and is likewise patentable.

It is believed that the present application is now in condition for allowance and allowance of each of the pending claims 2-20 is respectfully requested. Prompt and favorable reconsideration is respectfully requested.

Applicants have reviewed all the art of record, and respectfully submit that the claimed invention is patentable over all the art of record, including the references

Serial No. 09/767,104

not relied upon by the Examiner for the rejection of the pending claims.

If the Examiner upon considering this amendment should find that a telephone interview would be helpful in expediting allowance of the present application, the Examiner is respectfully urged to call the applicants' attorney at the number listed below.

Respectfully submitted,

By:   
Joan Pennington  
Reg. No. 30,885  
Telephone: (312) 670-0736

RECEIVED  
JUL 25 2003  
TC 2800 MAIL ROOM